

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OLIVIA Y., et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

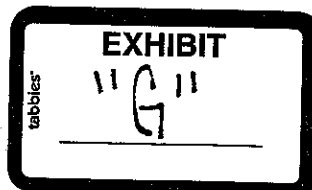
HALEY BARBOUR, as Governor of the State of Mississippi, et al.

DEFENDANTS

ORDER

The defendants' Motion to Extend Stay of Proceedings Due to the Impact of Hurricane Katrina is GRANTED in part, and the Court ORDERS as follows:

1. This matter is stayed through January 1, 2006, with the exception that Plaintiffs may resume discovery motion practice related to responsive documents that Defendants either refused to produce or failed to produce pre-Hurricane Katrina.
2. This extension of the previous 45-day stay will not be subject to further extensions.
3. The Court takes judicial notice of the burden upon the parties, due to the stay of litigation and corresponding delay of trial, of conducting a supplemental expert case record review of a representative sample of class member DHS case records post-Katrina and, therefore, precludes the Defendants from challenging the case record review evidence collected pre-Katrina by Plaintiffs' case record review expert based on any alleged staleness.
4. The Case Management Order deadlines are amended commensurate with the stay as follows:



- (a) The trial of this matter will be held on the trial calendar that begins on August/September __, 2006.
- (b) The pretrial conference will be held on August 3, 2006.
- (c) Discovery shall be completed by April 24, 2006.
- (d) The Plaintiffs shall designate experts by January 24, 2006.
- (e) The Defendants shall designate experts by March 24, 2006.
- (f) The deadline for submitting motions, other than motions *in limine*, is May 8, 2006.

Date

UNITED STATES MAGISTRATE JUDGE